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*Attorneys for Debtors and Debtors  
in Possession*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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In re: )  
 )  
EASY STREET HOLDING, LLC, *et al.*, ) Bankr. Case No. 09-29905  
 ) Jointly Administered with Bankr.  
 ) Case Nos.  
Debtors. ) 09-29907 and 09-29908  
 )  
Address: 201 Heber Avenue ) Chapter 11  
 Park City, UT 84060 )  
 )  
Tax ID Numbers: ) Honorable R. Kimball Mosier  
35-2183713 (Easy Street Holding, LLC), ) [FILED ELECTRONICALLY]  
20-4502979 (Easy Street Partners, LLC), and 84-1685764 )  
(Easy Street Mezzanine, LLC) )

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**ORDER MODIFYING ORDER (DOCKET NO. 219) ENTERED DECEMBER 15, 2009  
ON JOINT MOTION TO APPROVE AMENDMENT TO STIPULATION  
AUTHORIZING USE OF CASH COLLATERAL PURSUANT TO 11 U.S.C. § 363  
AND GRANTING ADEQUATE PROTECTION TO WESTLB, AG**

On November 25, 2009, Easy Street Partners, LLC (the “Debtor”) and WestLB, AG (“WestLB”) filed their Joint Motion to Approve Amendments to Stipulation Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Adequate Protection to WestLB, AG (the “Joint Amendment Motion”) [Docket No. 172]. The Joint Amendment Motion provided, among other matters, that a set aside of \$1.7 million from certain accounts (the “\$1.7 Million Set Aside”) agreed to by the Debtor and WestLB in an earlier cash collateral stipulation would no longer be required. Jacobsen National Group (“Jacobsen”) filed its Protective, Conditional and Limited Response to the Joint Motion Joint Motion to Approve Amendments to Stipulation Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Adequate Protection to WestLB, AG (the “Jacobsen Response”) [Docket No. 210] and argued against termination of the \$1.7 Million Set Aside. The Debtor and WestLB agreed that the \$1.7 Million Set Aside would remain part of their cash collateral stipulation, as modified, and of orders approving that stipulation, as modified, pending resolution of the issues related to the \$1.7 Million Set Aside. On December 15, 2009, this Court entered its Order on Joint Motion to Approve Amendments to Stipulation Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Adequate Protection to WestLB, AG (the “Amendment Approval Order”) [Docket No. 219]. The Court scheduled continued hearing on Jacobsen Response for January 19, 2010 and the parties served discovery on each other.

Thereafter, the Debtor and Jacobsen negotiated treatment of Jacobsen’s claims to be incorporated into a plan of reorganization by the Debtor. On January 15, 2010, the Debtor filed

its Plan of Reorganization (the “Debtor’s Plan”) [Docket No. 256] which incorporates that negotiated treatment of Jacobsen’s claims against the Debtor. As part of that negotiation, the Debtor, Jacobsen, and WestLB agreed that the amount to be set aside from certain accounts would be reduced from \$1.7 million to \$600,000. The parties have agreed to preserve their rights with respect to whether Jacobsen has an interest in the Sales Proceeds Accounts (as defined below) pending the Court’s consideration of the Debtor’s Plan.

Now, therefore, IT IS HEREBY ORDERED:

1. The Amendment Approval Order is amended to provide that the \$1.7 Million Set Aside is reduced to \$600,000, so that \$600,000 (the “\$600,000 Set Aside”) will remain on deposit in the existing Wells Fargo Escrow Accounts (account no. 12997375 and account no. 12997367) or the \$600,000 Set Aside will be moved to a similar, interest bearing account at JPMorgan Chase Bank if the Debtor moves its funds to that financial institution and that the balance in such account or accounts (collectively, the “Sales Proceeds Accounts”) will not go below \$600,000. The Debtor, WestLB, and Jacobsen reserve their rights with respect to whether Jacobsen holds an interest in the Sales Proceeds Accounts pending the Court’s consideration of the Debtor’s Plan.

2. Except as provided in Paragraph 1 of this Order, the Amendment Approval Order and prior Orders approving the cash collateral stipulation between the Debtor and WestLB will remain in full force and effect.

-----END OF ORDER-----

**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing **ORDER MODIFYING ORDER (DOCKET NO. 219 ENTERED DECEMBER 15, 2009 ON JOINT MOTION TO APPROVE AMENDMENT TO STIPULATION AUTHORIZING USE OF CASH COLLATERAL AND GRANTING ADEQUATE PROTECTION TO WESTLB, AG** was served this \_\_\_\_\_ day of January, 2010, via regular U.S. mail, postage prepaid upon the following:

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BY THE COURT:

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Deputy Clerk